

Introduced by Committee on Governmental Organization (Senators Wright (Chair), Anderson, Berryhill, Calderon, Cannella, Corbett, De León, Evans, Hernandez, Padilla, Walters, Wyland, and Yee)

March 20, 2012

An act to amend Sections 11020, 12302, and 12304 of the Government Code, and to amend Section 830.4 of the Penal Code, relating to the Treasurer.

LEGISLATIVE COUNSEL'S DIGEST

SB 1578, as introduced, Committee on Governmental Organization. Treasurer.

Existing law requires the Treasurer to, among other things, receive and keep in the vaults of the Treasurer or deposit in banks or credit unions all moneys belonging to the state, keep an account of all moneys received and disbursed, and report daily to the Controller the amounts disbursed during the preceding day and the funds out of which the disbursements were paid. Existing law authorizes the Treasurer to appoint certain officers and employees, as specified. Existing law grants certain employees of the Treasurer's office when performing assigned duties, as specified, with the powers and authority conferred by law upon peace officers.

This bill would modify these provisions by removing the Treasurer's authority to appoint certain officers and eliminating the powers and authority granted to certain employee's of the Treasurer's office. This bill would also require the Treasurer's office to be kept open for business from 8 a.m. until 5 p.m. unless otherwise provided by law.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 11020 of the Government Code is amended to read:

11020. (a) Unless otherwise provided by law, all offices of every state agency shall be kept open for the transaction of business from 8 a.m. until 5 p.m. of each day from Monday to Friday, inclusive, other than legal holidays, ~~but the office of Treasurer shall close one hour earlier.~~ However, any state agency or division, branch or office thereof may be kept open for the transaction of business on other hours and on other days than those specified in this subdivision.

(b) ~~If the provisions of this section are~~ *is* in conflict with the provisions of a memorandum of understanding reached pursuant to Chapter 12 (commencing with Section 3560) of Division 4 of Title 1, the memorandum of understanding shall be controlling without further legislative action, except that if the ~~provisions of~~ a memorandum of understanding ~~require~~ *requires* the expenditure of funds, the ~~provisions~~ *memorandum* shall not become effective unless approved by the Legislature in the annual Budget Act.

(c) Subdivision (a) shall not apply to any fair or association specified under Division 3 (commencing with Section 3001) of the Food and Agricultural Code.

SEC. 2. Section 12302 of the Government Code is amended to read:

12302. The Treasurer may appoint one deputy treasurer at the annual salary as the Treasurer shall establish. The Treasurer may also designate and appoint, or terminate the designation and appointment of, any officer or employee of his or her office, in addition to the deputy treasurer, to have the powers and liabilities of a deputy. The appointment or termination of appointment shall be effective upon signing by the Treasurer. The Treasurer may also appoint and fix the salaries, subject to the State Civil Service Act (Part 2 (commencing with Section 18500) of Division 5), of such officers and employees as may be necessary to carry out the duties of the office. ~~The Treasurer may appoint as civil executive officers: one cashier, one bond officer, one deposit officer, one vault officer, one principal accountant, one bookkeeper, and one secretary-stenographer.~~

1 SEC. 3. Section 12304 of the Government Code is amended
2 to read:

3 ~~12304. Every employee of the Treasurer's office when~~
4 ~~performing assigned duties as a guard or messenger has the powers~~
5 ~~and authority conferred by law upon peace officers listed in Section~~
6 ~~830.4 of the Penal Code.~~ Peace officers of the Department of the
7 California Highway Patrol shall make routine inspections of the
8 premises of the Treasurer's office after normal working hours each
9 day and on Saturdays, Sundays, and holidays.

10 SEC. 4. Section 830.4 of the Penal Code is amended to read:

11 830.4. The following persons are peace officers whose authority
12 extends to any place in the state for the purpose of performing
13 their duties under the conditions as specified by statute. Those
14 peace officers may carry firearms only if authorized and under
15 terms and conditions specified by their employing agency.

16 (a) Members of the California National Guard have the powers
17 of peace officers when they are involved in any or all of the
18 following:

19 (1) Called or ordered into active state service by the Governor
20 pursuant to the provisions of Section 143 or 146 of the Military
21 and Veterans Code.

22 (2) Serving within the area wherein military assistance is
23 required.

24 (3) Directly assisting civil authorities in any of the situations
25 specified in Section 143 or 146.

26 The authority of the peace officer under this subdivision extends
27 to the area wherein military assistance is required as to a public
28 offense committed or which there is reasonable cause to believe
29 has been committed within that area. The requirements of Section
30 1031 of the Government Code are not applicable under those
31 circumstances.

32 ~~(b) Guards and messengers of the Treasurer's office when~~
33 ~~performing assigned duties as a guard or messenger.~~

34 (e)

35 (b) Security officers of the Department of Justice when
36 performing assigned duties as security officers.

37 (d)

38 (c) Security officers of Hastings College of the Law. These
39 officers shall have authority of peace officers only within the City
40 and County of San Francisco. Notwithstanding any other provisions

1 of law, the peace officers designated by this subdivision shall not
2 be authorized by this subdivision to carry firearms either on or off
3 duty. Notwithstanding any other ~~provision of law~~, the act which
4 designated the persons described in this subdivision as peace
5 officers shall serve only to define those persons as peace officers,
6 the extent of their jurisdiction, and the nature and scope of their
7 authority, powers, and duties, and ~~there shall be no change in the~~
8 ~~status of those persons~~ *their status shall not change* for purposes
9 of retirement, workers' compensation or similar injury or death
10 benefits, or other employee benefits.

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